

Rule R926-9. Designation and Operation of Tollways.

As in effect on _____.

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[R926-9-1. Definitions.](#)

- (1) "Commission" means the Transportation Commission, which is created in Utah Code Section 72-1-301;
- (2) "Department" means the Utah Department of Transportation;
- (3) "Executive Director" means the Executive Director of the Utah Department of Transportation;
- (4) "HOT Lane" has the meaning described in Utah Code Ann. Section 72-6-118 for "High occupancy toll lane";
- (5) "HOV Lane" means a lane that has been designated for the use of high occupancy vehicles pursuant to Utah Code Ann. Section 41-6a-702;
- (6) "Toll" means the toll or user fees that the operator of a motor vehicle must pay for the privilege of driving on a tollway, including the toll or user fees that the operation of a single-occupant motor vehicle must pay for the privilege of driving on a HOT Lane;
- (7) "Toll Lane" has the meaning described in Utah Code Ann. Section 72-6-118 ;
- (8) "Tollway" has the meaning described in Utah Code Ann. Section 72-6-118. Tollways include, but are not limited to, HOT Lanes and Toll Lanes; and
- (9) "Tollway Development Agreement" has the meaning described in Utah Code Ann. Section 72-6-202.

[R926-9-2. Designation of Tollways.](#)

(1) The Department may consider designating Tollways, including, but not limited to, the designation of existing HOV Lanes as HOT Lanes or widening existing highways to add one or more Toll Lane(s). In deciding whether to designate a Tollway, the Department may evaluate whether:

- (a) The Tollway would make the specific highway or the highway system more efficient;
- (b) The designation or addition would increase available funds, reduce operational costs, or expedite project delivery; and
- (c) The project will be consistent with the overall policies, strategies, and actions of the Department, including those strategies that are developed through the regular transportation planning process.

(2) Commission approval is required for designation of HOT Lanes on existing state highways and establishment of Tollways on new state highways or additional capacity lanes. Legislative approval is required prior to designation of any other types of Tollways, provided that the Commission may provide interim approvals to establish such Tollways between sessions of the Legislature, subject to approval or disapproval by the Legislature during the subsequent session.

(3) If the Department wishes to designate a Tollway, it shall submit its recommendation to the Commission and request approval.

(4) The Commission will evaluate the recommendations and make a final decision.

(5) The Commission will issue its decision in a public meeting.

(6) Tollways shall comply with all design and construction standards and specifications normally applicable to Department projects, except as may be otherwise agreed to by the Department in writing.

(7) Automatic tolling systems used for the collection of tolls shall meet or exceed the minimum criteria established by the United States Department of Transportation pursuant to United States Public Law 105-59, Section 1604, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) if procured and deployed after the adoption of such criteria.

(8) The Commission will set Tolls in accordance with Utah Admin. Code R940-1 and Utah Code Ann. Section 72-6- 118.

R926-9-3. Tollway Restricted Revenue Fund - Enforcement.

(1) Pursuant to state law, tolls collected by the Department and certain funds received by the Department through a Tollway Development Agreement are deposited in the Tollway Restricted Special Revenue Fund established in Utah Code Annotated Section 72-2-120.

(2) Monies from the fund may be used to establish and operate Tollways and related facilities, including design, construction, reconstruction, operation (including snow removal), maintenance, enforcement, impacts from Tollways, and acquisition of right-of-way, pursuant to Utah Code Ann. Section 72-2-120.

KEY

transportation, tolls, highways

Date of Enactment or Last Substantive Amendment

[Insert Date]

Authorizing, Implemented, or Interpreted Law

72-2-120; 72-6-118